## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: John Thomas Welder

Serial No. 10/646,453

Confirmation No. 9544

Filed: August 21, 2003

Examiner: James D. Rutten

Group Art Unit: 2192

For: METHOD AND SYSTEM FOR MINIMAL DISRUPTION

DURING SOFTWARE UPGRADE OR RELOAD OF A

NETWORK DEVICE

Date: December 10, 2009

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## Response to Notice of Non-Compliant Amendment

Responsive to the Notice of Non-Compliant Amendment dated November 30, 2009, Applicant submits the corrected amendment for claim 4.

Amendments to the Claims begin on page 2.

Remarks begin on page 3.

PAGE 1 OF 3